

Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON MUTUAL, INC.,
as successor in interest to H.F. Ahmanson
& Co. and subsidiaries,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

C06-1550-JCC

**ORDER FOR ENTRY
OF JUDGMENT**

This matter comes before the Court on the parties' joint motion for an order for entry of judgment. (Dkt. No. 89). Plaintiff's first amended complaint alleged that it was owed more than \$15 million in tax overpayments. (Complaint 15 (Dkt. No. 37)). The parties represent that they have agreed to settle the claims, and petition the Court for this entry of judgment.

The Court hereby ORDERS:


1. Judgment shall be entered in favor of Defendant and against Plaintiff with respect to Plaintiff's claims that it had tax basis in RAP rights and that it had tax basis in Missouri

Branching rights—as defined in paragraphs 26 and 27, and as claimed in paragraphs 34 and 35, of Plaintiff’s first amended complaint.

2. Judgment shall be entered in favor of Defendant and against Plaintiff with respect to Plaintiff’s claims for amortization and loss deductions attributable to the aforementioned RAP rights and Missouri Branching rights, as alleged in Counts 1, 2, and 3 of Plaintiff’s first amended complaint.

The Court hereby DISMISSES Plaintiff’s remaining claims, as the parties represent that they have resolved those claims by way of settlement agreement. Each party shall bear its own costs and attorney fees in this matter. Plaintiff’s right to appeal this order and judgment shall be preserved.

SO ORDERED this 5th day of November, 2009.


JOHN C. COUGHENOUR
United States District Judge